

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Alan Foxon
Serial No.: 10/816,263
Filing Date: March 31, 2004
Confirmation No.: 9837
Group Art Unit: 1771
Examiner: Cheryl Ann Juska
Title: PLAYING SURFACE STRUCTURE AND METHOD
OF CONSTRUCTION OF A PLAYING SURFACE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TERMINAL DISCLAIMER

In response to the Office Action mailed March 30, 2006, Applicant hereby submits this Terminal Disclaimer in support of the accompanying Response to Examiner's Action.

REMARKS

Nottingham Sports & Safety Systems Limited, owner of 100% percent interest in the above-identified patent application as evidenced by an assignment of the above-identified application by the inventor to Nottingham Sports & Safety Systems Limited and shown in the Assignment Records of the United States Patent and Trademark Office at Reel 015512, Frames 0468-0470, recorded on June 23, 2004, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and §173, as presently shortened by any terminal disclaimer, of any patent issuing from U.S. Application Serial No. 10/816,390, filed March 31, 2004, also owned by Nottingham Sports & Safety Systems Limited and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from U.S. Application Serial No. 10/816,390, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors, or assigns.

Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and §173 of any patent issuing from U.S. Application Serial No. 10/816,390 as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to any patent issuing from U.S. Application Serial No. 10/816,390: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

CONCLUSION

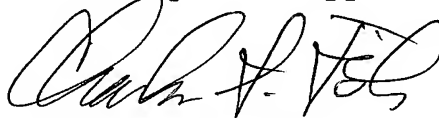
An amount of \$130.00 is required to satisfy the terminal disclaimer fee under 37 C.F.R. §1.20(d). Please charge Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. an amount of \$130.00 to satisfy the terminal disclaimer fee of 37 C.F.R. §1.20(d).

The Commissioner is hereby authorized to charge any other fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in dark ink, appearing to read 'Charles S. Fish', is written over the typed name.

Charles S. Fish

Reg. No. 35,870

June 29, 2006

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